



Georgia Department of Agriculture

Pesticide Division, Room 543 – 19 M.L.K. Jr. Dr., • Atlanta, GA 30334
(404)-656-4958 Fax: (404)-657-8378

Tommy Irvin
Commissioner

CONTRACTOR LICENSE INFORMATION SHEET

The Georgia Pesticide Use and Application Act of 1976 requires that any person engaged in the business of applying pesticides to the lands of another within the State of Georgia must first be issued a pesticide contractor's license by the Commissioner of Agriculture.

DEFINITION OF PESTICIDE CONTRACTOR

The term "pesticide" is defined as any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or pests. This definition includes herbicides, insecticides, fungicides, plant growth regulators, defoliants, etc. If you apply, as part of your business, or your company applies any type of pesticide to someone else's property and a fee is assessed for these applications, or if you perform applications as part of a maintenance contract, you are subject to this requirement.

EXAMPLES

Lawn Care/Maintenance Company
Landscape Contractor
Tree Surgeon
Swimming Pool Maintenance Company
Janitorial Service Contractor

Aerial Applicator
Right-of-Way Contractor
Forester/Land Management Company
Custom Applicator
Anti-fouling Paint Applicator

REQUIREMENTS

- At least one (1) full-time certified commercial applicator in employment licensed in category(ies) of operation.
- Satisfying financial responsibility requirements.
- Completing an application and submitting a \$15.00 annual fee.

PENALTY

If your company is engaged in the application of pesticides to the property of another person and collecting a fee for this service without the proper license, an injunction may be sought against your company. A maximum fine of \$1,000.00 per violation may also be levied against your company. Each pesticide application performed without the required pesticide contractor license may be viewed as a separate violation, and fines assessed accordingly.

For more information, visit our website and click on the Pesticide Contractor link at:

http://www.agr.state.ga.us/html/pesticide_division.html



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Pesticide Division Licensing Section
19 M.L.K. Jr. Drive, S.W., Room 543
Atlanta, Georgia 30334-4201
www.agr.state.ga.us

IMPORTANT INFORMATION ON APPLYING FOR A PESTICIDE CONTRACTOR LICENSE

1. Complete application, providing all information requested. Check only those categories in which you have a licensed applicator currently in full-time employment.
2. Provide both street address and mailing address, if different.
3. All equipment must be listed and identified except hand, non-power.
4. All aerial contractors must list their FAA Operator Certificate number and enclose a copy of the certificate or the license will not be issued. All pilots must hold a current Georgia Commercial Pesticide Applicator License.
5. Your Contractor's License must be posted in a prominent place upon receipt. You are requested to keep this office advised of any changes in ownership, address, or other information, which would affect your status as a pesticide contractor.
6. You must list the name of your licensed Certified Commercial Pesticide Applicator(s) and his/her number. No contractor's license will be issued to any applicant not providing this information.
7. Insurance certificates must be kept current. All contractors' licenses will be canceled 30 days after the expiration date of the current insurance certificate, if the contractor fails to provide a renewal certificate. You **MUST USE** the Department's Insurance Certificate for your insurance coverage at all times. The name of the company has to be the same as the name on the Insurance Certificate. Certificates may be mailed to the address above or faxed to 404-657-8378.

If you have any questions, please feel free to call at 404-656-4958

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GEORGIA PESTICIDE USE AND APPLICATION ACT INSURANCE CERTIFICATE FORM

Insured _____
Address _____ County _____
City _____ State _____ Zip Code _____
Insurance Company _____
Policy No. _____ Effective Date _____ Expiration Date _____

LIST OF AIRCRAFT AND

"N" NUMBER

LIST OF MOBILE SPRAYING UNITS

LIST OF AIRCRAFT AND	"N" NUMBER	LIST OF MOBILE SPRAYING UNITS
_____	_____	_____
_____	_____	_____
_____	_____	_____

MINIMUM LIMITS BY REGULATION

	<u>AERIAL CONTRACTORS</u>	<u>GROUND CONTRACTORS</u>
Bodily Injury: Any One Occurrence.....	\$ 50,000	\$ 25,000
Property Damage: Any One Occurrence.....	\$ 25,000	\$ 10,000
Aggregate.....	\$ 100,000	\$ 25,000
Less: Maximum Deductible Per Occurrence.....	\$ 1,000	\$ 500

INSURANCE CERTIFICATION

Certification is hereby made that financial responsibility as required by the Georgia Pesticide Use and Application Act has been established by the above named insured through Liability Insurance in the minimum amount as set forth below. This includes coverage for legal damage arising from the use of chemicals, dusting powders and the like, employed by the insured in his regular business operations, but shall not apply to damages or injury to agricultural crops, plants, or land being worked upon by the insured.

Coverage Limits Certified

Bodily Injury:	\$ _____	Any One Occurrence
Property Damage:	\$ _____	Any One Occurrence
	\$ _____	Aggregate
Less:	\$ _____	Deductible Per Occurrence

It is agreed that the Commissioner of Agriculture shall be notified 10 days prior to any reduction or cancellation of coverage as stated herein.

AERIAL APPLICATORS ONLY

Type of Chemical Coverage

RESTRICTED

COMPREHENSIVE

<input type="checkbox"/>
<input type="checkbox"/>

Carrier or Agent _____

Signature _____ Date _____

Address _____

City _____ Tel. No. _____

State _____ Zip Code _____

This Certificate of Insurance neither affirmatively or negatively amends, extends, nor alters the coverage afforded by this policy.
This Certificate of Insurance should be attached to Contractor License application, and submitted as one package.

RULES
OF
GEORGIA DEPARTMENT OF AGRICULTURE
PESTICIDE USE AND APPLICATION

CHAPTER 40-21-8
FINANCIAL RESPONSIBILITY

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40-21-8-.01 Persons Subject to Regulations. Amended.

Any individual, company, corporation or other business entity desiring to engage in the business of applying pesticides to the lands of another within this State shall secure a Pesticide Contractor's License. Granting of such license shall be conditioned on satisfactory proof of financial responsibility by all applicants other than those who are applying crop protection products to agricultural crops and who are requesting a Pesticide Contractor's License in only the Agricultural Plant Pest Category, with or without licensing in Aerial Methods.

Authority Ga. L. 1976, p. 369; O.C.G.A. Sec. [2-7-99](#). **Administrative History.** Original Rule entitled "Persons Subject to Regulations" was filed on June 24, 1974 as 40-21-1-.01; effective July 14, 1974.

Amended: Rule repealed and a new Rule of same title adopted. Filed July 5, 1977; effective July 25, 1977.

Amended: Rule renumbered as 40-21-8-.01. Filed July 10, 1978; effective July 30, 1978. **Repealed:** New Rule of same title adopted. F. Aug. 27, 1990; eff. Sept. 16, 1990.

40-21-8-.02 Certification of Financial Responsibility. Amended.

Proof of financial responsibility by the applicant for a Pesticide Contractor's license must be evidenced and furnished to the Commissioner of Agriculture by certification of liability insurance, by copy of an appropriate surety bond, or by certificate of deposit for a cash deposit. Forms for certification of liability insurance and for surety bonds shall be specified and furnished by the Commissioner of Agriculture.

Authority Ga. L. 1976, p. 369. **Administrative History.** Original Rule entitled "Certification of Financial Responsibility" was filed on June 24, 1974 as 40-21-1-.02; effective July 14, 1974. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.02. Filed July 10, 1978; effective July 30, 1978.

40-21-8-.03 Insurance. Amended.

Liability Insurance policies may include pollution exclusions or other exclusions only to the extent that they are not inconsistent with O.C.G.A. [2-7-103](#), and shall be in the following minimum limits, including coverage for legal damages arising from the use of chemicals, dusting powders and the like, employed by the insured in his regular business operations:

(a) Aerial Contractors

Bodily Injury \$50,000 Any One Occurrence

Property Damage \$25,000 Any One Occurrence
 \$100,000 Aggregate

Maximum Deductible \$1,000 Per Occurrence

(b) Ground Contractors

Bodily Injury \$25,000 Any One Occurrence

Property Damage \$10,000 Any One Occurrence
 \$25,000 Aggregate

Maximum Deductible \$500 Per Occurrence

Authority Ga. L. 1976, p. 369. O.C.G.A. Secs. [2-7-90](#), et seq. 2-7-103. **Administrative History.** Original Rule entitled "Insurance" was filed on June 24, 1974 as 40-21-1-.03; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Insurance Policy" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.03. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984. **Repealed:** New Rule of same title adopted. F. Aug. 27, 1990; eff. Sept. 16 1990.

40-21-8-.04 Surety Bond. Amended.

Surety Bonds shall be in the following minimum amounts, to cover legal damages arising from the use of chemicals, dusting powders and the like, employed by the principal in his regular business operations:

(a) Aerial Contractors

Minimum Bond \$50,000

Maximum Deductible \$1,000

(b) Ground Contractors

Minimum Bond \$20,000

Maximum Deductible \$500

Authority Ga. L. 1976, p. 369. O.C.G.A. Sec. [2-7-90](#), et seq. **Administrative History.** Original Rule entitled "Surety Bonds" was filed on June 24, 1974 as 40-21-1-.04; effective June 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Surety Bond" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.04. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984.

40-21-8-.05 Cash Deposit. Amended.

(1) Cash deposits may be made in any bank of applicant's choice. Certificate of Deposit shall be made payable jointly to the depositor and the Georgia Commissioner of Agriculture; shall be endorsed by depositor and shall be maintained in the custody of the Commissioner of Agriculture during the period licensed and for 90 days thereafter. Deposits shall be in the following minimum amounts to cover legal damages arising from the use of chemicals, dusting powders and the like, employed by the depositor in his regular business operations:

(a) Aerial Contractors \$50,000

(b) Ground Contractors \$20,000

(2) Cash deposits shall be subject to the same deductible amounts as the liability insurance and surety bonds, namely:

(a) Aerial Contractors \$1,000

(b) Ground Contractors \$500

Authority Ga. L. 1976, p. 369, O.C.G.A. Sec. [2-7-90](#), et. seq. **Administrative History.** Original Rule entitled "Cash Deposits" was filed on June 24, 1974, as 40-21-1-.05; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Cash Deposit" adopted. Filed July 5, 1977; effective July 25, 1977.

Amended: Rule renumbered as 40-21-8-.05. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984.

40-21-8-.06 Exclusion of Coverage. Amended.

Surety Bonds, liability insurance, and cash deposits shall not apply to damages or injury to agricultural crops, plants, or land being worked upon by the pesticide contractor.

Authority Ga. L. 1976, p. 369. **Administrative History.** Original Rule entitled "Expiration of Insurance and Bonds" was filed on June 24, 1974 as 40-21-1-.06; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Exclusions of Coverage" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.06. Filed July 10, 1978; effective July 30, 1978.